

STATE OF NEW HAMPSHIRE



Mechanical Safety Board

Office: N.H. State Fire Marshal's Office
110 Smokey Bear Blvd., Concord, NH
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**MEETING MINUTES
MECHANICAL SAFETY BOARD**

November 19, 2014

Timothy Dupont
Chairman
dupt@comcast.net

William Trombly Jr
Vice Chairman
bill@billtrombly.com

Omer Beaudoin
Member
omeranddolly@comcast.net

Steven Chartier
Member
schartier@justcallhertiage.com

Steve Labbe
Member
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David Pelletier
Member
pelletierd@Ualu131.org

Lyndon Rickards
Member
lricks@eastern.com

Terrell Swain
Member
twain@capitalwell.com

The scheduled meeting of the Mechanical Safety Board was held at 33 Hazen Drive, 2nd floor conf. rm., Concord, NH on the above date, beginning at 10:02 am. The members present and participating were Tim Dupont, Steve Labbe, Steven Chartier, David Pelletier, Omer Beaudoin, William Trombly Jr., and Terrell Swain. Absent were Lyndon Rickards. Also attending were Shana Warriner, Administrative Supervisor / Board Secretary, Jeffrey Cyr, Chief Mechanical Inspector and Matthew Labonte, Bureau Chief and Dept. of Safety Attorney David Hilts.

Non-Public Meeting

On the motion of Tim Dupont. and second of Omer Beaudoin the board unanimously voted to conduct a non-public session for the purpose of discussing confidential board business, namely a matter which if discussed in public would likely affect adversely the reputation of a person, other than a member of the body or agency itself and records pertaining confidential information noting that such a non-public session is authorized by RSA 91-A:3,II(c) and RSA 91-A:5,IV.

Upon the motion of Tim Dupont and second by Steve Chartier the Board unanimously voted to withhold and seal the minutes of the non-public session from public disclosure pursuant to RSA 91-A:3,II on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a board member. Each member recorded his or her vote on the motion which passed by the unanimous vote of all members present.

Call Meeting to Order.

Meeting was called to order at 10:02 am.

Non-Public

Motion by Tim Dupont to approve New Gas Trainee applications for Richard Terris, Justin Coulter and Justin Dussault second by David Pelletier. All in favor.

Motion by Tim Dupont to approve new plumbing apprentice Joshua

Vaillancout with conditions as stated in non-public session second by Bill Trombly Jr. All in favor.
Motion by Tim Dupont to grant a hearing and date for Richard Badeau for February 18, 2015 second by David Pelletier. All in favor.

Approve Minutes from Previous Meeting

Motion to accept October 15th minutes by Bill Trombly Jr. second by David Pelletier. Abstained Tim Dupont. All in favor.

Correspondence

None

Committee Reports

- a. BCRB Update was given by Tedd Evans.
- b. Rules Working Group Update: None.

Old Business

Final Approval for 100 and 200 rules: Attorney David Hilts reviewed the latest version of the rules in detail with changes. Attorney Hilts explained once the board has approved, they will then go to Commissioner for approval and then on to JLCAR.

Tim Dupont motioned to move forward with final approval as edited. Vote went as follows Yea Tim Dupont, David Pelletier, Steve Labbe, and Omer Beaudoin. Nay Steve Chartier. Abstained Bill Trombly Jr.

The board reviewed the 300 and 400 rules with changes limited to the transfer of fees to the 500 rules which will strictly deal with fees. Chief Jeff Cyr wanted permission to go forward with the removal of the fees from the 300 and 400 rules and approval on the new 500 rules.

300 rules changes were the removal of fees and reference to the 500 rules. All set.
400 rules changes were removal of fees and reference to the 500 rules. All set.
500 rules approved.

Tim Dupont suggested that Bill Trombly Jr. and Steve Chartier meet with Matt Labonte and Michelle Thibeault regarding the FY 16&17 budget and any possible further fee reductions.

Tim Dupont motioned to approve 300, 400 and 500 rules as corrected for commissioner's approval and set a public hearing for December 17, 2014 second by Omer Beaudoin. All in favor.

New Business

RSA 153:28 was discussed moving the board from the general fund to the dedicated Fire Standards and EMS fund or to become "Agency Funded". Either option would provide for an elimination of the 25% revenue increase and allow the savings to be passed along to the licensees. The agency will research the details of the FST/EMS fund and Agency Fund structure and report back to the board.

Tim Dupont motioned to remove mechanical safety & licensing out of the general fund and to the dedicated FST & EMS Fund second by David Pelletier. All in favor.

Tim Dupont encouraged the board members to reach out to their senators and representatives. Get the information out to the industry so they can see the benefit and prepare a point's sheet on the benefits so they have visual to see.

Chief Inspectors Report

Chief Cyr reviewed his report with the board. Chief Cyr had a licensing issue in Manchester with an unlicensed individual that lived in Concord and worked for a business in Massachusetts. The RME for the business was on disciplinary notice and under a consent agreement to no longer use unlicensed people to do work in NH. He was two months into the 12 month consent agreement. Chief Cyr felt he violated consent agreement and requested the board conduct a hearing to determine appropriate disciplinary action. Tim Dupont said the individual needs to come to the board and explain why license shouldn't be suspended.

Chief Cyr informed the board of the seminar dates for providers as being December 3rd for plumbing, December 4th for gas and December 6th for a full day gas and plumbing course.

Public Comment

None

With no further business to address the Board meeting adjourned at 1:22 pm. ***The next meeting of the Board will be December 17, 2014 at 10:00 a.m., 98 Smokey Bear Blvd, classroom 1, Concord NH 03301***

End of Minutes